

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/14/2024MDM CONTRACTING, INC. DBA
CENTEX CONSTRUCTION,

Plaintiff,

-against-

RLI INSURANCE COMPANY AND MT.
HAWLEY INSURANCE COMPANY,

Defendants.

23 Civ. 4227 (AT)

MOTION TO RETAIN**JURY DEMANDED****MOTION TO RETAIN**

Plaintiff MDM Contracting, Inc. DBA Centex Construction ("Plaintiff") files this Joint Motion to Retain ("Motion") and respectfully request this Honorable Court extend by thirty days the Parties' deadline to reopen the case without prejudice.

The Parties attended mediation on February 14, 2024, and reached a mutual settlement in principle. On February 15, 2024, the Parties announced their settlement to this Court. The Parties are still executing the formal settlement documents, and therefore, pursuant to the Court's Docket Order (see Dkt. Nos. 34, 36, 38), Plaintiff requests that the Court extend by thirty days the Parties' deadline to reopen the case without prejudice. Should these thirty days not be sufficient to consummate the settlement, Plaintiff will file the settlement documents with this Court to seek enforcement of the settlement agreement pursuant to this Court's rules. However, if the settlement is consummated prior to the expiration of the requested thirty days, the Parties shall file a Joint Stipulation of Dismissal pursuant to the settlement agreement.

Respectfully submitted,

WEYCER KAPLAN PULASKI & ZUBER, PC

BY: /s/ Murphy S. Klasing
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been forwarded to all Counsel of Record, via the DC/EMF Electronic Filing System on May 9, 2024.

/s/ Murphy S. Klasing
Murphy S. Klasing

GRANTED.

SO ORDERED.

Dated: May 14, 2024
New York, New York



ANALISA TORRES
United States District Judge